



# Kentucky Board of Medical Licensure Newsletter

Hurstbourne Office Park, 310 Whittington Parkway, Suite 1B, Louisville, Kentucky 40222  
Website: [www.kbml.ky.gov](http://www.kbml.ky.gov)

Spring 2008

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## Guidance on Use of KASPER Reports

Several years ago, the Board adopted guidelines to provide physicians with guidance on the appropriate use and storage of KASPER reports. Since that time, the Board has continued to receive numerous inquiries about the appropriate use of KASPER reports. In addition, the Board has been made aware of instances where a physician or practitioner has been prosecuted for the unauthorized disclosure of a KASPER report.

In order to help protect against such unauthorized disclosures, the Board would like to remind physicians of the following guidelines:

- Persons may only obtain a KASPER report lawfully if it is for an approved purpose. Under the statute, a physician may only order and receive a KASPER report "for the purpose of providing medical treatment to a bona fide current patient." KASPER reports may not be obtained by a physician for any other purpose, such as responding to an investigation or preparing for a trial/hearing.
- Any person who obtains a KASPER report for an unauthorized reason is guilty of a felony. Any person who releases a KASPER report to anyone who is not authorized to receive the report is guilty of a felony.
- If necessary for the proper treatment of the patient, the physician may discuss the contents of the report with the patient. However, the physician may not show or release the report to the patient.
- If necessary for the proper treatment of the patient and if authorized under HIPPA, the physician may discuss the contents of the KASPER report with other involved physicians.
- Remember that KASPER is simply a computer compilation of prescribing information. If it is sufficiently important, the physician may obtain a copy of the prescription(s) from the pharmacy to show or release to the patient.
- KASPER reports are compilations of computer entries by pharmacists. They are subject to human error. If there is any question about the accuracy of a KASPER entry, that entry should be confirmed by reviewing the actual prescription or a copy thereof.
- While patients are entitled to a free copy of their patient records, they are not lawfully entitled to receive a KASPER report(s).
- It may be helpful to the physician to maintain KASPER reports obtained, in the event there is an investigation or litigation. In order to protect the physician's interests without violating the KASPER statute, KASPER reports should be maintained:
  - by filing it in a segregated part of the patient record that is marked, "Not to be Released," or,
  - by filing it separately from the chart.

(continued on page 3)

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Board Actions Report (Actions taken since 12/27/07)

Ronald C. Bibb, M.D., Danville, KY, License # 31272  
Agreed Order of Indefinite Restriction entered into 02/13/08.

Brian L. Brown, M.D., Lexington, KY, License # 27058  
Agreed Order of Indefinite Restriction entered into 03/12/08.

Frank A. Burke, M.D., Lexington, KY, License # 26486  
Agreed Order entered into 03/13/08.

George E. Burnette, M.D., Jackson, KY, License # 20414  
Agreed Order entered into 03/17/08.

Paul A. Clark, M.D., Lexington, KY, License # 25147  
Amended Agreed Order of Indefinite Restriction entered into 03/05/08.

Thomas A. Donohue, M.D., Pikeville, KY, License # 20898  
Agreed Order entered into 03/18/08.

Juni Femi-Pearse, M.D., Whitesburg, KY, License # 35066  
Agreed Order of Indefinite Restriction entered into 03/24/08.

John T. Garner, M.D., Ashland, KY, License # 33507  
Amended Agreed Order entered into 03/10/08.

Ramon Gonzalez, M.D., Madisonville, KY, License # 27942  
Order Terminating Agreed Order issued 02/21/08.

Homer A. Holt, M.D., Louisville, KY, License # 14152  
Agreed Order entered into 03/03/08.

Margaret K. Husk, M.D., Louisville, KY, License # R1291  
Agreed Order entered into 01/30/08.

Marc P. Janson, M.D., Louisville, KY, License # 39543  
Agreed Order entered into 02/14/08.

Richard Karrel, M.D., Crestwood, KY, License # 38508  
Fifth Amended Agreed Order of Indefinite Restriction entered into 03/10/08.

Kara A. Kennedy, D.O., Lexington, KY, License # R1497  
Agreed Order entered into 03/25/08.

Joseph Koenigsmark, D.O., Prospect, KY, License # 02161  
Order of Suspension and Probation issued 02/25/08.

John A. Lach, M.D., Louisville, KY, License # 18965  
Agreed Order of Probation entered into 02/08/08.

Todd F. Lackney, D.O., Danville, KY, License # 02678  
Agreed Order entered into 03/11/08.

Craig H. Leicht, M.D., Manchester, KY, License # 31802  
Order Terminating Agreed Order issued 03/04/08.

Quinton C. Meek, M.D., Elizabethtown, KY, License # 28887  
Order Terminating Agreed Order entered into 02/08/08.

Dennis R. Northrip, M.D., Lexington, KY, License # 23287  
Second Amended Agreed Order of Indefinite Restriction entered into 03/06/08.

Subramanya Prasad, M.D., Florence, KY, License # 36444  
Agreed Order of Surrender entered into 03/13/08.

Emanuel H. Rader, M.D., Pineville, KY, License # 14827  
Agreed Order of Indefinite Restriction entered into 01/14/08.

Mark R. Rosenberg, M.D., Ellisville, MO, License # 28704  
Agreed Order of Probation entered into 02/29/08.

Guy M. Sava, M.D., Somerset, KY, License # 20658  
Agreed Order of Fine entered into 03/06/08.

Rudolph T. Scott, M.D., Madisonville, KY, License # 30854  
Order of Revocation issued 02/26/08, effective 03/05/08.

Alan D. Shultz, M.D., Mt. Sterling, KY, License # 30784  
Amended Agreed Order of Indefinite Restriction entered into 01/30/08.

William E. Tiemann, M.D., Irving, TX, License # 38771  
Order Terminating Agreed Order of Indefinite Restriction entered into 02/11/08.

Michael W. Vories, M.D., Hazard, KY, License # 33216  
Agreed Order of Surrender entered into 01/17/08.

Donald J. Weidler, M.D., Columbia, KY, License # 38570  
Agreed Order entered into on 01/17/08.

Stephen J. Arnett, SA, Paintsville, KY, License # SA098  
Agreed Order of Surrender entered into 01/28/08.

Kimberly D. Jones, PA-C, Paint Lick, KY, License # PA314  
Amended Agreed Order of Probation entered into 01/28/08.

Donald Koehler, PA-C, Alexandria, KY, Certificate # PA192  
Second Amended Agreed Order of Indefinite Restriction entered into 02/07/08.

Terry A. Lawson, PA-C, Whitley city, KY, License # PA378  
Agreed Order of Indefinite Restriction entered into 01/02/08.

Johnna K. Tanner, PA-C, Martin, TN, License # PA968  
Agreed Order of Fine entered into 03/12/08.

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**Restrictions have also been placed on the following physicians' licenses pending resolution of charges brought against these physicians:**

John T. Ebert, M.D., Hopkinsville, KY, License # 31114  
Temporary Order issued by Jefferson Circuit Court on  
01/04/08 enjoining Dr. Ebert from the practice of  
medicine until further Order of the Court.

Rudolph T. Scott, M.D., Madisonville, KY, License # 30854  
Complaint and Emergency Order of Suspension issued  
01/04/08, effective 01/07/08.

Bradford A. Quatkemeyer, M.D., Crittenden, KY, License # 32259  
Complaint and Emergency Order of Restriction issued  
01/30/08, effective 02/01/08.

Dinesh H. Shah, M.D., Mayfield, KY, License # 26092  
Complaint and Emergency Order of Suspension  
issued 02/25/08, effective 02/26/08.

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**Guidance on Use of KASPER Reports (continued from front page)**

- The KASPER report may not be provided by the physician to anyone else, including their attorney, without a court order.
  - If it becomes necessary for a physician to obtain a KASPER report for use in an investigation or litigation, the statute provides for the possibility of obtaining the report by court order. The Board will join in any motion to obtain a court order for the release of a KASPER report(s) if that report will be used as part of a formal Board hearing.
- For reference, the statutory provisions involving KASPER can be found in KRS 218A.202.

**Prescribing Guidelines for Chronic Pain**

In recent months several letters have been received from physicians expressing concern about the prescribing of opioid medications for chronic pain. The Board recognizes the importance of this issue and has taken steps to address these concerns.

The Board has developed its own guidelines for the use of controlled substances in pain management. The guidelines were developed in order to clarify the Board's position on pain control, especially as related to the use of controlled substances for non-terminal/non-malignant chronic pain, in order to alleviate physician uncertainty and to encourage better pain management. A copy of these guidelines can be found on our website at [www.kbml@ky.gov](mailto:www.kbml@ky.gov).

While the Board acknowledges that increased media scrutiny and publicity of actions taken against physicians for inappropriate treatment of pain has heightened the fear among physicians, it is important to note that the Board strongly feels that physicians should not fear disciplinary action for prescribing controlled substances for a legitimate medical purpose and in the usual course of professional practice. The Board encourages physicians to view effective pain management as part of quality medical practice for all patients with pain, acute or chronic.

**Kentucky Department of Public Health Creates K HELPS System**

After the devastation of Hurricane Katrina, public officials have been working to make preparations in the event of a large-scale public health emergency or natural disaster occurring in Kentucky and surrounding states. History has shown that such events could cause health and medical systems to become overwhelmed with individuals seeking treatment. In response to this call, the Kentucky Department of Public Health has created K HELPS, the Kentucky Health Emergency Listing of Professionals for Surge Program. K HELPS is a state-based system to register medical professionals interested in volunteering to offer assistance during public health emergencies or disasters. Under this new system, K HELPS and local Medical Reserve Corps work together closely and cover nearly all counties in Kentucky. While anyone can volunteer, K HELPS is currently placing emphasis on recruiting physicians to volunteer their services. For physicians wanting to be proactive in the event of an emergency or natural disaster, registration is quite easy: any physician interested in volunteering can register with K HELPS on-line at <https://khelps.chfs.ky.gov>. You may also visit your local health department to fill out a hard copy application.

**2008 Annual Renewal of Physician License**

Annual renewal of physician licenses for the current year has just been completed. The Board is pleased to announce that 88% of physicians utilized the on-line renewal service this year. As of April 3, 2008, a total of 13,653 physicians have renewed their medical/osteopathic license. This reflects an increase of 474 over last year's total for the same period. Of the total, 8,900 physicians reported a practice address in Kentucky. It should be noted that of the 13,653 physicians renewing their license, 898 are retired and do not maintain a practice address.

**CME Update**

It was reported at the Board's March meeting that 1065 CME audits have been conducted to date. This total represents 13% of the number of physicians practicing in the state. Twenty fines have been issued for noncompliance, 14 physicians requested inactive status and 6 physicians were suspended for failing to meet the CME requirements. By state regulation, in order for a physician to maintain an active Kentucky medical license, he or she must complete 60 hours of continuing medical education every 3 years. Thirty of these hours must be certified in Category 1. The current CME cycle will end on December 31, 2008.

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**Kentucky Board of Medical Licensure**

**Change of Address Notice**

**Please Note:** The information that you provide on this Change of Address Notice will be used to update your profile on the Board's web site at [kbml.ky.gov](http://kbml.ky.gov).

*(Please Print or Type Information)*

**Date:** \_\_\_\_\_

**KY License Number:** \_\_\_\_\_

**Name:** \_\_\_\_\_  
(last) (first) (m.i.)

**Mailing Address:** \_\_\_\_\_  
(street)

\_\_\_\_\_  
(city) (state) (zip)

**KY Practice County:** \_\_\_\_\_ **Office Telephone:** \_\_\_\_\_

**Practice Address:** \_\_\_\_\_  
(street)

\_\_\_\_\_  
(city) (state) (zip)

**E-Mail Address:** \_\_\_\_\_

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**Kentucky Board of Medical Licensure**

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Louisville, KY 40222

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